

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1788
Appropriations

(Delegate Lam, *et al.*)

Rules

State Government – Appointments Office in the Office of the Governor –
Reporting

This bill requires the Appointments Office (office) in the Office of the Governor to submit a report to the Joint Committee on Fair Practices and State Personnel Oversight on the office's activities regarding employees who are under the jurisdiction of an appointing authority. The report must be submitted by December 31, 2018, and by each December 31 annually thereafter. **The bill takes effect June 1, 2018, and terminates June 30, 2020.**

Fiscal Summary

State Effect: It is anticipated that the bill's requirements can be handled with existing resources. No effect on revenues.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The report must include:

- the number of referrals or requests made from any appointing authority to the office regarding employee appointments, promotions, reassignments, disciplinary actions, or terminations;
- the reasons for the referrals or requests specified above, categorized in the aggregate and by appointing authority;

- the type of information provided by the office to an appointing authority as a result of a referral or request made, compiled in the aggregate by type and number of instances using specified categories;
- the written policy of the office on providing information to an appointing authority regarding an employee appointment, promotion, reassignment, disciplinary action, or termination, as specified;
- the number of applicants and employees required to complete a form from the office that collects personal information and the type of forms that are required to be submitted;
- the number of applicants and employees that are required to communicate with the office regarding a personnel decision; and
- a statement that the office is in compliance with the bill’s requirements.

Current Law/Background: The Appointments Office in the Office of the Governor performs the function of recommending to the Governor the appointment or nomination of an individual to serve as a member of a State or local board or any other entity that, by law, requires the membership to be appointed in whole or in part by the Governor, whether or not the appointment or nomination is with the advice and consent of the Senate or the House of Delegates. Pursuant to the State Government Article, Title 8, Subtitle 3A, the Appointments Office may not direct or overrule an appointing authority, the Secretary of Budget and Management, or any unit of the Department of Budget and Management, on any decision to appoint, promote, transfer, reassign, discipline, or terminate an employee under the jurisdiction of the appointing authority. Statutory language also sets forth provisions relating to the delegation of authority.

An “appointing authority” means an individual or a unit of government that has the power to make appointments and terminate employment.

The Joint Committee on Fair Practices and State Personnel Oversight has oversight over specified matters, including employment policies and personnel systems in the executive branch of State government. The purposes of the joint committee are to (1) review reports; (2) evaluate the effectiveness of programs, policies, and practices; and (3) identify areas of concern and, as appropriate, recommend corrective measures to the Governor and the General Assembly.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Commission on Civil Rights; Department of Budget and Management; State Ethics Commission; Department of Legislative Services

Fiscal Note History: First Reader - March 12, 2018
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